



**COUNTY OF LAKE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Planning Division**  
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## **M E M O**

Date: February 15, 2018

To: Board of Supervisors

CC: Carol J. Huchingson, Lake County Administrative Officer

From: Robert Massarelli, Community Development Director

RE: Cannabis Cultivation Ordinance

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Attached is the draft Cannabis Cultivation Ordinance as recommended by the Planning Commission. At the Commission's February 8, 2018 meeting, after public comment, the Commission made the following changes to the draft the staff presented, which have been incorporated into the attached draft:

1. RG 2: The Planning Commission was split on personal use outdoor/outdoor cultivation on a minimum one or five acre parcels. The attached draft has the staff recommendation of five acres.
2. RG3: The Planning Commission recommended outdoor commercial cannabis in Agricultural Preserve, Timber Preserve, Suburban Residential, and Rural Residential zoning districts.
3. The Planning Commission recommended outdoor commercial cannabis (Permit Types 1, 2, 3 and 4) in the Planned Development Commercial zoning district with a Major Use Permit.
4. RG 6: The Planning Commission recommended against a requirement for a residence at a commercial cannabis cultivation site.
5. RG 7: The Planning Commission recommended flexibility of the cultivation site screening requirements if the cultivation site cannot be seen by public views due to topography, vegetation, viewing distance etc.
6. RG11: The Planning Commission recommended against deliveries from water purveyors as the main source of water, but recommends an exception for emergency conditions.

7. RG 12: The Planning Commission recommended co-location of permits consistent with State regulations.
8. The Draft Cultivation Ordinance states that background checks need to be completed for applicants and their employees. However, the Planning Commission recommended limiting background checks for applicants only.
9. The Planning Commission recommended limiting the number of permits a permittee may hold to four.
10. The Planning Commission recommended “Within areas designated as prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance as depicted on Lake County Important Farmland, 2016 prepared by the State of California Department of Conservation Farmland Mapping and Monitoring Program, commercial cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that are equipped with filtrations systems that prevent the movement of odors, pesticides, and other airborne contaminants out of or into the structure.”
11. The Planning Commission recommended including language at the end of the ordinance that states that the Planning Commission will report how the cultivation program is going in two years from adoption and will suggest changes if necessary.
12. The Planning Commission recommended including the Ag Commissioner recommendations:
  - a. Page 18, lines 4,5,6: change the phrase “Pest Management” to “ Pesticide
  - b. Page 33, lines 13,14,15: requirements found in the California Food and Agriculture Code, California Code of Regulations and the California Business and Professions Code.
  - c. Page 52, line 35 and Page 55, line 11 change Planning Commission to Agricultural Commissioner.
13. Planning Commission recommended that Tribal Rancheria should be renamed “Federal Indian Trust lands”
14. Pg 10- section 3(s): Planning Commission recommended removing “medicinal”.
15. Pg 40- Planning Commission recommended removing resident for 5 years
16. Pg 54- Planning Commission recommended removing all reference to retail
17. Planning Commission directed the staff to correct all scrivener's errors.

With these changes, the Planning Commission recommended approval of the draft Cannabis Cultivation Ordinance.